

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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**UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**EQUITYBUILD, INC., EQUITYBUILD  
FINANCE, LLC, JEROME H. COHEN,  
and SHAUN D. COHEN,**

**Defendants.**

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**Civil Action No. 18-cv-5587**

**Hon. Manish S. Shah**

**Magistrate Judge Young B. Kim**

**UNOPPOSED MOTION TO RESCHEDULE HEARING**

Kevin B. Duff, as the receiver (“Receiver”) for the Estate of Defendants EquityBuild, Inc., EquityBuild Finance, LLC, their affiliates, and the affiliate entities of Defendants Jerome Cohen and Shaun Cohen, respectfully requests that this Court enter an order rescheduling the hearing currently scheduled for February 6, 2023. (Dkt. No. 1348) In support of his Motion, the Receiver states as follows:

1. On November 30, 2022, the Honorable Young B. Kim entered an order setting a hearing regarding the Receiver’s first motion for fee allocation and payment (Dkt. 1107) at 1:00 p.m. on February 6, 2023 (Dkt. 1348).

2. Due to a long-standing and unchangeable scheduling conflict, on December 1, 2022 counsel for the Receiver reached out to confer with counsel for each of the law firms that filed objections to the Receiver’s fee allocation motion.

3. In the intervening week, 10 of the 11 law firms contacted have notified the Receiver's counsel that they do not oppose this motion seeking to reschedule the hearing for later in the week, on the afternoon of February 8, 9 or 10, 2023.

4. The Receiver has not heard back from the eleventh lawyer, William Serritella, who was sent the original request and a second follow-up request.

WHEREFORE, the Receiver requests that the Court reschedule the hearing from 1:00 p.m. on February 6, 2023 to the afternoon of February 8, 9 or 10, 2023.

Dated: December 9, 2022

Respectfully submitted,

s/ Michael Rachlis

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